



City of Richmond
Planning and Development Department

Report to Committee

To: Planning Committee
From: Brian J. Jackson, MCIP
Director of Development
Date: April 26, 2012
File: RZ 11-582830
Re: Application by Amrit Maharaj for Rezoning at 4820 Garry Street from Single Detached (RS1/E) to Single Detached (RS2/A)

Staff Recommendation

That Bylaw No. 8825, for the rezoning of 4820 Garry Street from "Single Detached (RS1/E)" to "Single Detached (RS2/A)", be introduced and given first reading.

Brian J. Jackson, MCIP
Director of Development

EL: rg
Att.

FOR ORIGINATING DEPARTMENT USE ONLY <i>ACTING</i>		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Affordable Housing	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	

Staff Report

Origin

Amrit Maharaj has applied to the City of Richmond for permission to rezone 4820 Garry Street (**Attachment 1**) from Single Detached (RS1/E) to Single Detached (RS2/A) in order to permit the property to be subdivided into two (2) single-family residential lots.

Findings of Fact

A Development Application Data Sheet providing details about the development proposal is attached (**Attachment 2**).

Surrounding Development

The subject site is located on the south side of Garry Street, west of Railway Avenue. The surrounding area is an established residential neighbourhood consisting predominantly of newer single-family dwellings on small lots created through subdivision, with a few remaining older single-family dwellings on large lots. Other land uses also exist further west in the neighbourhood (i.e. institutional, multi-family, public open space).

Related Policies & Studies

Lot Size Policy 5471

The subject site is located within the area covered by Lot Size Policy 5471 (adopted by Council July 29, 2002) (**Attachment 3**). This Policy permits rezoning and subdivision of lots on this section of Garry Street in accordance with "Single Detached (RS2/A)". This redevelopment proposal would enable the property to be subdivided into two (2) lots, each approximately 9.75 m (32 ft.) wide and 387 m² (4,165 ft²) in area.

Affordable Housing

The Richmond Affordable Housing Strategy requires a suite on at least 50% of new lots, or a cash-in-lieu contribution of \$1.00 per square foot of total building area toward the Affordable Housing Reserve Fund for single-family rezoning applications.

The applicant has agreed to provide a voluntary cash contribution for affordable housing based on \$1 per square foot of building area for single-family developments (i.e. \$ 4,582). Should the applicant change their mind about the Affordable Housing option selected (prior to final adoption of the rezoning bylaw) to providing a legal secondary suite on one (1) of the two (2) future lots at the subject site, the applicant will be required to enter into a legal agreement registered on Title, stating that no final Building Permit inspection will be granted until the secondary suite is constructed to the satisfaction of the City, in accordance with the BC Building Code and the City's Zoning Bylaw. This legal agreement will be a condition of rezoning adoption. This agreement will be discharged from Title on the lot without the secondary suite, at the initiation of the applicant, after the requirements are satisfied.

Floodplain Management Implementation Strategy

The applicant is required to comply with the Flood Plain Designation and Protection Bylaw (No. 8204). In accordance with the Flood Management Strategy, a Flood Indemnity Restrictive Covenant specifying the minimum flood construction level is required prior to rezoning bylaw adoption.

Public Input

There have been no concerns expressed by the public about the development proposal in response to the placement of the rezoning sign on the property.

Staff Comments

Tree Protection

A Certified Arborist's Report was not required as the site survey provided by the applicant confirmed that there are no trees on site. The three (3) trees on the adjacent property to the west, as shown on the topographic survey (**Attachment 4**), have been removed by the property owner of adjacent site as part of the redevelopment of 4800 Garry Street (RZ 10-508885 and SD 10-508886). The three (3) trees were approved for removal as part of the rezoning application.

Tree Planting

Council Policy 5032 encourages property owners to plant a minimum of two (2) trees per lot in recognition of the benefits of urban trees (minimum 6 cm calliper deciduous or 3 m high conifer). The applicant has agreed to plant and maintain a total of four (4) trees on the future lots [two (2) per future lot]. Prior to rezoning adoption, the applicant must submit a security in the amount of \$2,000 (\$500/tree) to ensure new trees are planted and maintained on-site.

Site Servicing & Vehicle Access

There are no servicing concerns with rezoning.

Vehicular access to the site at future development stage will be from Garry Street. The existing pedestrian cross walk on the frontage of the east half of the site will require some modifications in order to accommodate driveway access to the proposed east lot. The road works that will be required at future subdivision stage include, but not limited to, relocating the crosswalk and wheelchair ramps, curb extension reconstruction (north side of Garry Street), eradicating the existing crosswalk and restriping with thermoplastic paint at the new location, and relocating a street tree in front of the site. All of these works will be done through a City Works Order at the developer's cost.

Subdivision

At future Subdivision stage, the developer will be required to pay Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, Address Assignment Fee, and Servicing Costs.

Analysis

This is a relatively straightforward redevelopment proposal. This development proposal is consistent with Lot Size Policy 5471 and is located within an established residential neighbourhood that has a strong presence of small lots zoned Single Detached (RS1/A and RS2/A), created from larger lots. All the relevant technical issues have been addressed. Several remaining lots zoned Single Detached (RS1/E) along Garry Street have the potential to rezone and subdivide.

Conclusion

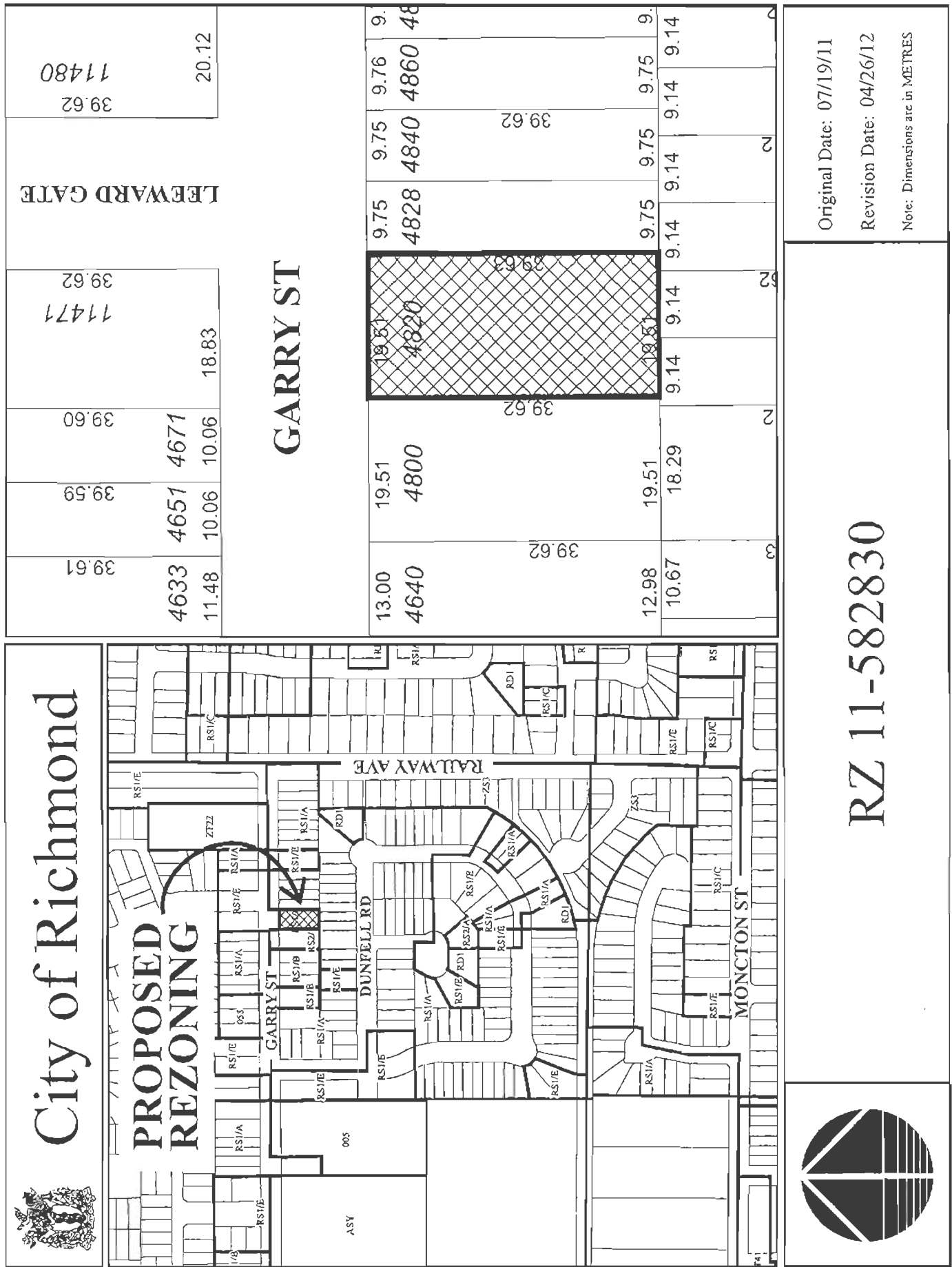
This rezoning application to permit subdivision of an existing large lot into two (2) smaller lots complies with Lot Size Policy 5471, all applicable policies and land use designations contained within the Official Community Plan (OCP), and is consistent with the direction of redevelopment in the surrounding area. The list of rezoning conditions is included as **Attachment 5**, which has been agreed to by the applicant (signed concurrence on file). On this basis, staff recommend support of the application.



Edwin Lee
Planner 1
(604-276-4121)

EL:rg

- Attachment 1: Location Map/Aerial Photo
- Attachment 2: Development Application Data Sheet
- Attachment 3: Lot Size Policy 5471
- Attachment 4: Topographic Survey/Proposed Subdivision Layout
- Attachment 5: Rezoning Considerations Concurrence





City of Richmond

6911 No. 3 Road
Richmond, BC V6Y 2C1
www.richmond.ca
604-276-4000

Development Application Data Sheet

RZ 11-582830

Attachment 2

Address: 4820 Garry Street

Applicant: Amrit Maharaj

Planning Area(s): Steveston (Schedule 2.4)

	Existing	Proposed
Owner:	Amrit T Maharaj, Arti R Maharaj, Ambalika Maharaj	To be determined
Site Size (m ²):	Approx 774 m ² (8,332 ft ²)	Two lots – each approximately 387 m ² (4,165 ft ²)
Land Uses:	One (1) single-family dwelling	Two (2) single-family dwellings
OCP Designation:	Generalized Land Use Map designation – “Neighbourhood Residential”	No change
Area Plan Designation:	Single-Family	No change
702 Policy Designation:	Policy 5471 permits subdivision to “Single Detached (RS2/A)” along this section of Garry Street.	No change
Zoning:	Single Detached (RS1/E)	Single Detached (RS2/A)
Number of Units:	1	2

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.55	Max. 0.55	none permitted
Lot Coverage – Building:	Max. 45%	Max. 45%	none
Lot Coverage – Non-porous:	Max. 70%	Max. 70%	none
Lot Coverage – Landscaping:	Min. 20%	Min. 20%	none
Lot Size (min. dimensions):	270 m ²	387 m ²	none
Setback – Front & Rear Yards (m):	Min. 6 m	Min. 6 m	none
Setback – Side Yard (m):	Min. 1.2 m	Min. 1.2 m	none
Height (m):	Max. 2 ½ storeys	max. 2 ½ storeys	none

Other: Tree replacement compensation required for loss of significant trees.



RZ 11-582830

Original Date: 07/20/11

Amended Date: 04/26/12

Note: Dimensions are in METRES



City of Richmond

Policy Manual

Page 1 of 2

Adopted by Council – July 29, 2002

POLICY 5471

File Ref: 4045-00

SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 2-3-7

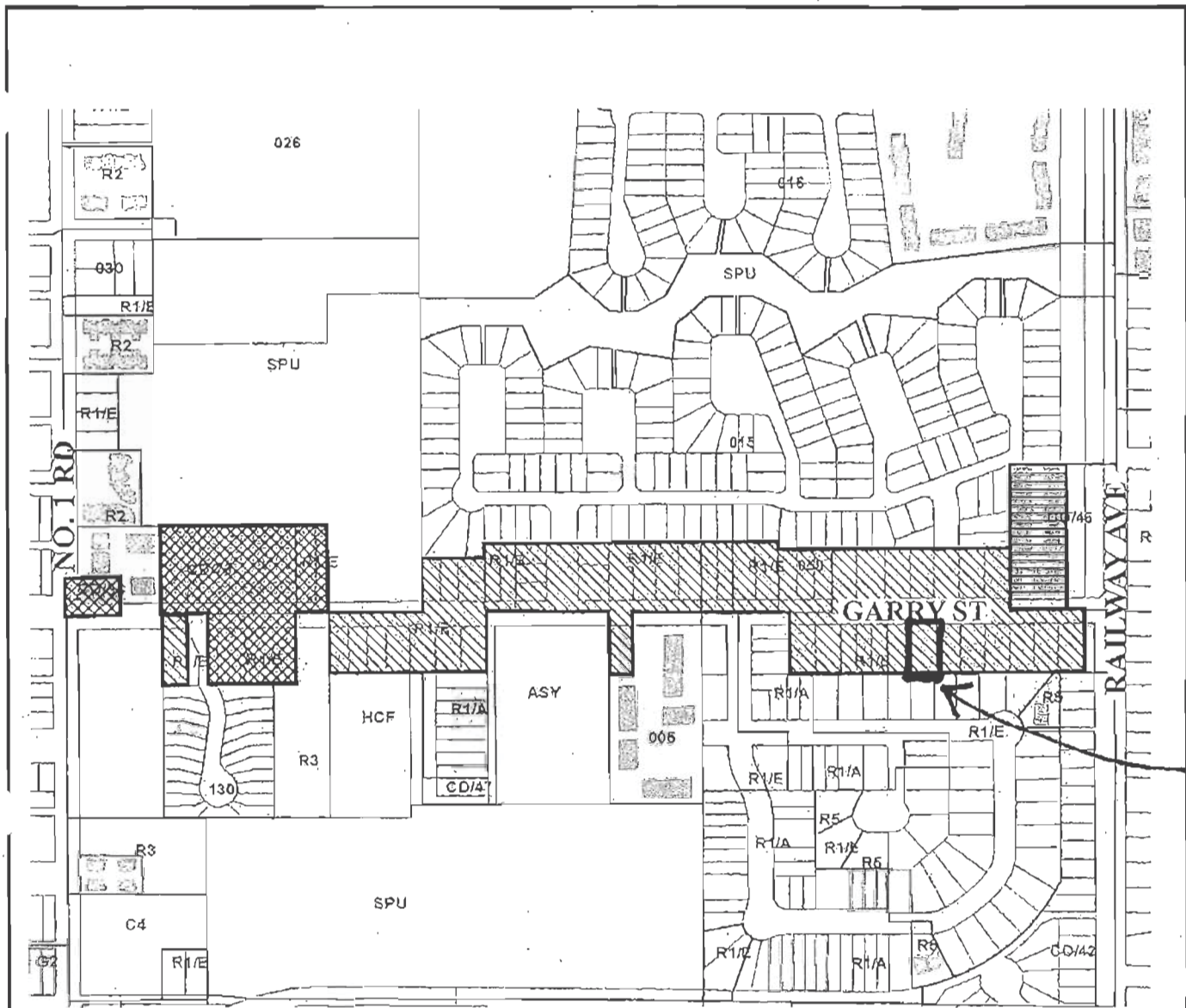
POLICY 5471:

The following policy establishes lot sizes for properties along **Garry Street, between No. 1 Road and Railway Avenue** (in a portion of Section 2-3-7):

That properties located along Garry Street between No. 1 Road and Railway Avenue, in a portion of Section 2-3-7, be permitted to subdivide in accordance with the provisions of Single-Family Housing District Subdivision Area A (R1/A) in Zoning and Development Bylaw 5300 provided that no new accesses are created onto Railway Avenue and No. 1 Road; and

That properties located at 4771, 4109, 4111, 4211, 4160, 4180, 4011 Garry Street and the north-westerly portion of 4200 Garry Street be deemed eligible for townhouse development; and

That this policy be used to determine the disposition of future single-family and townhouse rezoning applications in this area for a period of not less than five years, unless changed by the amending procedures contained in the Zoning and Development Bylaw.



Rezoning would be permitted to R1/A.
(9 m or 29.527 ft. Wide lots)



Townhouse or single-family lots.



16 detached townhouse units that
resemble single-family homes.



Policy 5471 Section 02-3-7

Original Date: 07/29/02

Revision Date:

Note: Dimensions are in METRES

#4820 GARRY STREET,
RICHMOND, B.C.
P.I.D 004-041-682

SCALE: 1:200

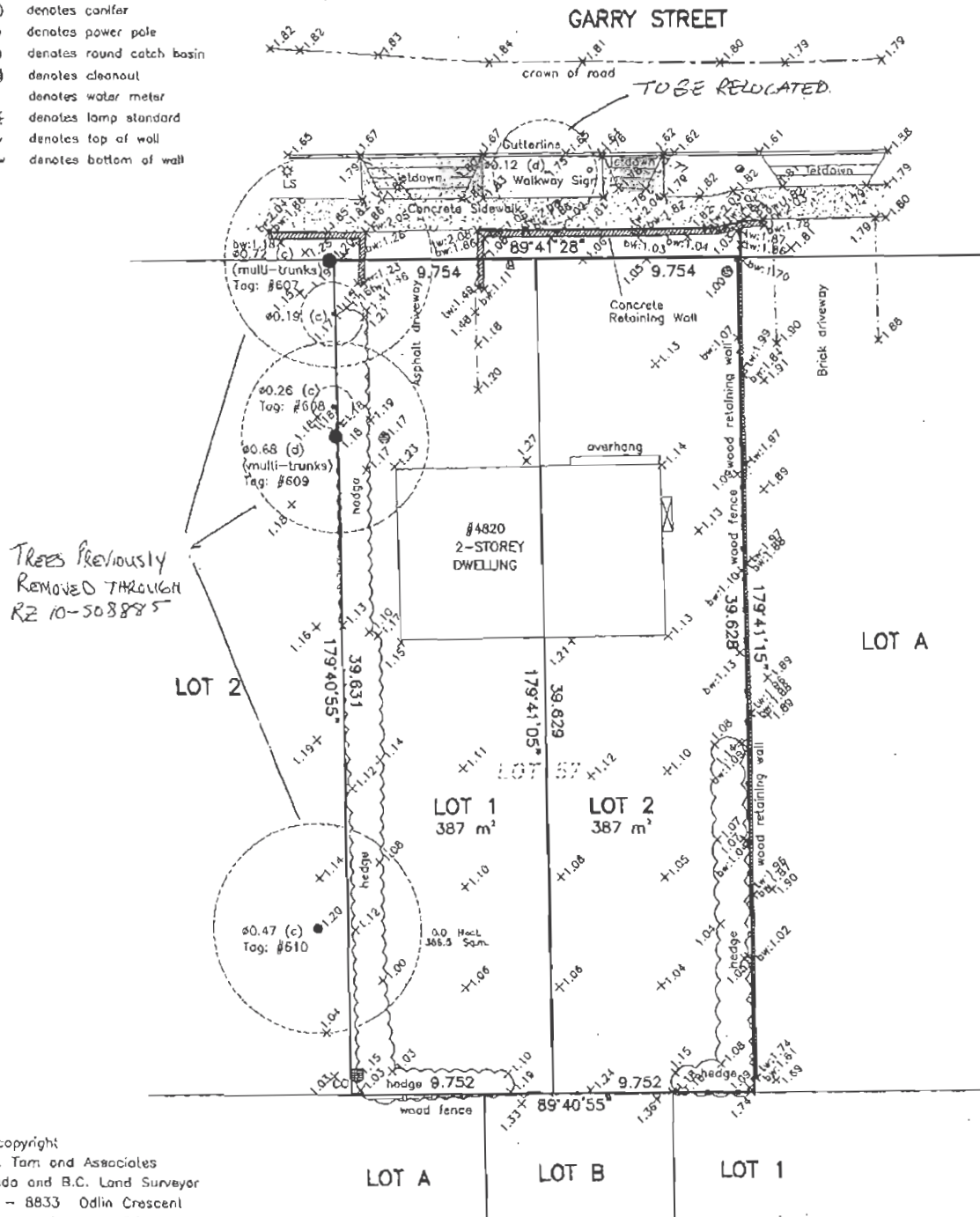


ALL DISTANCES ARE IN METRES AND DECIMALS
THEREOF UNLESS OTHERWISE INDICATED



LEGEND:


- (d) denotes deciduous
(c) denotes conifer
⊙ denotes power pole
⊕ denotes round catch basin
CO ⊕ denotes cleanout
⊗ denotes water meter
LS ⊗ denotes lamp standard
tw denotes top of wall
bw denotes bottom of wall



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Canada and B.C. Land Surveyor
115 - 8833 Odlin Crescent
Richmond, B.C. V6X 3Z7
Telephone: 214-8928
Fax: 214-8929
E-mail: office@jctam.com
Website: www.jctam.com
Job No. 4469
FB-181 P58-60
Drawn By: MY

NOTE:
Elevations shown are based on City of
Richmond HPN Benchmark network.
Benchmark: HPN #205.
Control Monument 77H4827
Located at CL Railway Ave & Gandy Blvd.
Elevation = 1.044 metres

CERTIFIED CORRECT:
LOT DIMENSION ACCORDING TO
FIELD SURVEY.


JOHNSON C. TAM, B.C.L.S.
MAY 16th, 2011.

DWG No. 4469-TOPD



Rezoning Considerations

Development Applications Division
6911 No. 3 Road, Richmond, BC V6Y 2C1

Address: 4820 Garry Street

File No.: RZ 11-582830

Prior to final adoption of Zoning Amendment Bylaw 8825, the developer is required to complete the following:

1. Registration of a flood indemnity covenant on title.
2. The City's acceptance of the applicant's voluntary contribution of \$1.00 per buildable square foot of the single-family development (i.e. \$4,582.00) to the City's Affordable Housing Reserve Fund.

Note: Should the applicant change their mind about the Affordable Housing option selected prior to final adoption of the Rezoning Bylaw, the City will accept a proposal to build a secondary suite on one (1) of the two (2) future lots at the subject site. To ensure that a secondary suite is built to the satisfaction of the City in accordance with the Affordable Housing Strategy, the applicant is required to enter into a legal agreement registered on Title as a condition of rezoning, stating that no final Building Permit inspection will be granted until a secondary suite is constructed to the satisfaction of the City, in accordance with the BC Building Code and the City's Zoning Bylaw.

3. Submission of a Landscaping Security to the City of Richmond in the amount of \$2,000 (\$500/tree) for the planting and maintenance of four (4) new trees (minimum 6 cm calliper deciduous or 3 m high conifer, including a mix of coniferous and deciduous trees) on site.

Prior to Subdivision Approval, the developer must complete the following requirements:

1. Payment of Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, Address Assignment Fee, and Servicing Costs.
2. Roadworks to be done at the developer's sole cost via City Work Order. Roadworks include, but not limited to, relocating the crosswalk and wheelchair ramps, curb extension reconstruction (north side of Garry Street), eradicating the existing crosswalk and restriping with thermoplastic paint at the new location, and relocating a street tree in front of the site.

Note: If on-site street tree relocation is not possible, a 2:1 replacement compensation will be required.

Note:

- Where the Director of Development deems appropriate, the preceding agreements are to be drawn not only as personal covenants of the property owner but also as covenants pursuant to Section 219 of the Land Title Act.

All agreements to be registered in the Land Title Office shall have priority over all such liens, charges and encumbrances as is considered advisable by the Director of Development. All agreements to be registered in the Land Title Office shall, unless the Director of Development determines otherwise, be fully registered in the Land Title Office prior to enactment of the appropriate bylaw.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable/rent charges, letters of credit and withholding permits, as deemed necessary or advisable by the Director of Development. All agreements shall be in a form and content satisfactory to the Director of Development.

[signed original on file]

Signed _____

Date _____



City of Richmond

Bylaw 8825

Richmond Zoning Bylaw 8500 Amendment Bylaw 8825 (RZ 11-582830) 4820 GARRY STREET

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

1. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it **SINGLE DETACHED (RS2/E)**.

P.I.D. 004-041-682

Lot 57 Section 2 Block 3 North Range 7 West New Westminster District Plan 31520

2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 8825".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED

MAY 28 2012

CITY OF RICHMOND
APPROVED by
HB
APPROVED by Director or Solicitor

MAYOR

CORPORATE OFFICER